

THE
VALIDITY
OF THE
RENUNCIATIONS
OF
Former Powers,
Enquired into,
AND THE
Present Renunciation
OF THE
Duke of *ANJOU*,
Impartially Considered.

WITH
A PREFACE, relating to the Guarantee for the Protestant Succession.

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TO A FRIEND

THE

PREFACE.

AS the following Sheets are written to undeceive and quiet the Minds of the People of this Nation in the Case of the Renunciation mentioned in Her Majesties Speech to the Parliament, so I could not let them come abroad into the World without taking some Notice of a Case which has happened since the finishing the other, and which some People take hold off, to the Disadvantage of the Government, making Use of it to increase our unhappy Distractions in this Nation.

It was observed by some, that when the House of Commons made their late Address to Her Majesty no Mention was made therein of the Protestant Succession, and the House of Hanover; this the Party, whose peculiar Zeal seems to have no other Way left to shew itself, than in their continued repeating the Danger of the Protestant Succession, took hold of as a mighty Advantage, as if the House of Hanover, the Succession, &c. had been purposely affronted on that Occasion.

But if they made some Noise on that Account, the Arms they pretend to is troubled. Now when

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when on a Motion made in the House the 7th of June, to Address Her Majesty for the making all the Confederates Guarantees of the Protestant Succession, it passed in the Negative.

This fills our Zealous Hanoverians, as they would be thought to be, with Astonishment, and with a feigned Sadness upon their Countenances they look at one another with Disorder and Amazement.

The Gloss they put upon this is indeed very popular, as if they did foresee the Pretender coming in at the Breach this has made; and that because the House would not put Her Majesty upon the worst Incongruous and Inconsistent Step in the World, Needless to us, and Irrational in itself, but pretended to be for the Propagation of the Interest of the Succession, that therefore the House of Commons should be Enemies to the Protestant Interest, and to the House of Hanover.

The House indeed have acted in this with their wonted Prudence, and the Vote they have passed is certainly a much stronger Testimony of their firm Adherence to the Hanover Succession, than that Address could have been, (viz.)^{*} That they have an entire Confidence in Her Majesty, and cannot doubt but that she will take all needful Cautions for the Security of the Protestant Succession in the House of Hanover, &c. as may be seen in the Votes, June the 19th.

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The Antient Law-maker, Lycurgus, being asked why he made no Law against Parricide, gave this wise Answer, that he would not have such a Crime named among his Citizens; nor would he suggest that any of his Citizens were capable of so much Degeneracy of Nature as to be guilty of it, and therefore he made no Punishment for it. By this the wise Legislator put a greater Brand of Infamy upon the Crime than he could possibly have done, by making the severest Law against it imaginable.

The like is the Conduct of the House of Commons, who having put this as a Matter they think lies so near, and is so much Her Majesties Concern, as that it is impossible She should forget to secure it, they have thereby more effectually obliged Her Majesty to take that Part upon Herself, than they could have done by leading Her to the Ways and Means these People have prescribed them.

The Expression they have now used to Her Majesty by their said Vote implies most strongly Two Things.

1. That the Protestant Succession is a Thing of the highest Concern to the Nation; so great that it would be undutiful and unnatural in them to suppose Her Majesty could so far neglect such an Essential and Fundamental Part of Her Peoples Safety, as to Want that they should remind her of it, and therefore they say they cannot doubt it.

2. That the entire Confidence the Commons place in Her Majestie; Zeal for Her Peoples Good,

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Good, is the greatest Obligation that a faithful People can put upon their Sovereign, to do all that can possibly be done in the Thing itself, and much stronger in all Respects than such an Address could have been.

So that upon the whole it seems, that the Settlement of the Protestant Succession is so far from having receiv'd any Shock by the Negative of the aforesaid Vote, that in every Impartial Eye it must rather have Weight added to it; and Her M'esty is farther loaded with Obligations to secure it, if that be possible, than She was before.

T H E

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IT has been the received Maxim of the Present Age, that no Peace can be Safe or Honourable while any Part of the *Spanisb* Monarchy remains in the Possession of the House of Bourbon. The Votes, and

Unanimous Addresses, of both Houses of Parliament Here, the frequent Declarations of our Allies Abroad, and the Speeches of our Sovereign from the Throne, together with infinite other Circumstances in Treaties, in Conferences, Missives, Memorials, &c. have both at Home and Abroad concurred to Print this Notion so indelibly in the Minds of the common People, that it appears very difficult to remove their Thoughts, or bring them to understand or conceive of any other Measures, or the Reasons which may have been given, or pretended, for differing Measures. But Time has taught us to see, that neither the Opinion of Princes, or Parliaments, are so infallible, as not to be Subject to the Mutations and Alterations, which the Accidents of Government, and the Revolutions of Nations, bring upon them; and that which may to Day be esteemed dangerous and impracticable, to Morrow becomes not only safe but necessary; so that it ceases to be an Argument against a Thing to say, that such was the Opinion of such or such, at such or such a Time; for as Circumstances alter, the Judgments of Men will and ought to be altered.

This seems the Case in the Affair of Peace now on the Stage, and which I am here to enquire into; in the Examination whereof, I shall, with the utmost Impartiality, search into the Thing itself, its Nature and Circumstances,



cumstances, without taking any Advantages from the Measures now in Hand, or the Quality of the Persons whose Sanction is added to give Authority to the Opinion. It shall be of no Weight in this Case that Her Majesties Speech says so or so, it shall not be brought as an Argument that the Government are satisfied with these Measures, or that the Present Ministry have carried this Thing on upon such and such a Foundation; the true Merits of this Cause shall, according to the Title of this Traet, be impartially considered, and every Thing therein be weighed with the utmost Calmness, and Coolness of Reasoning, that nothing may Byass the Reader, either for or against one Way or other, but Matters of Fact placed in the clearest Light possible.

The Terms of the Peace which is now to be made with *France* are at large set down in Her Majesties Speech, the quoting them from thence serves not to give them any Sanction in the present Discourse, more than the Certainty that those are the Real Terms now in Debate, which Certainty has never till now been determined by any undisputed Authority.

By these Terms it is allowed, that, contrary to all which has hitherto been Voted, Declared, or Concluded among us here, the Kingdoms of Old *Spain*, and the *Indies*, are Given, or Allotted, to *Philip of Bourbon*,

Duke of *Anjou*, now *Philip V.* King of *Spain*, which is the First and Main Point in Dispute.

The Contradiction this Step taken now, bears to the former Resolutions, Declarations, and Determinations of this Government, and of the Confederates, and how it is brought to be consistent with the Words Safe and Honourable, so long and so often insisted on before, depends upon the Novelty of the following Circumstances. The King of *France*, a Subtil and Politick Prince, had boldly adventured to break off the Treaty at *Geertruydenbergh*, although his Affairs were then in but a very low and threatening Posture; he had found it more difficult to manage the Confederates at a Treaty than it had formerly been; and the Councils of *France* began to apprehend Evil Consequences from the ensuing Campaign; all they had for it was, that their Troops in *Spain* were in a pretty good Condition, and the Duke de *Vendome*, a Commander of Reputation, having joined the Spanish Army with 5 Brigades of French Infantry, and about 2500 French Horse, they had some Hopes of putting a Stop to the Troops of King *Charles*, who after the Battle of *Saragossa* had found the Castilians not so much in his Interest as he expected, and began to be in Want of all Things, having his Troops dispersed, many Towns of Importance to keep Possession of, and the Rivers,

Rivers, Passes, and open Country, posseſt by the *French*, so that they began to think of drawing together in a Body, and retreating towards the Frontiers of *Arragon*: In *Flanders*, and everywhere else, the utmost the *French* could propose to do, was to act upon the Defensive, and, if possible, to keep the Confederates from besieging *Arras* or *St. Omer*.

They succeeded however in these Things beyond Expectation, the Campaign in *Flanders* ended with the single Loss of *Bouchain*, and in *Spain* the Duke de *Vendome* had the Satisfaction of Surrounding the *Englisb* Troops in *Bribeugha*, beating Count *Staremburg*'s Left Wing at *Villa Vicoso*, and pushing the whole *German* Army back to *Catalonia*, taking from them all the Castles and Passes they had feized, besieging *Gironne*, taking *Balaguer*, *Cervera*, and in brief, pushing the *Germans* into the very City of *Barcelona*, where the Duke threatened to Besiege them in the Spring Campaign.

These Things buoyed up the King of *France*'s Affairs to such a Height, as made the War seem more fixed, and Peace more remote, than ever, when on a sudden an Accident fell in, which gave a new Turn to all the Affairs of *Europe*; for Heaven, who seemed before to have left the Cause to the Arm of Flesh, and who suffered the several Nations to depend wholly

ly upon their Swords ; yet now all on a sudden, took the Cause into his own Hand, and taught both Sides, that the Views they had either Way were not agreeable to him, but that other Measures were to be taken to settle the Peace of *Europe*, than those of War Conquest, and Destruction of Mankind : In Pursuance of these Measures, Death was sent with his Black Express to Summon out of the World the several Persons, whose being in the World prevented either Side from seeing their own Interest, and from knowing wherein the Peace of *Europe* really consisted. On the Confederate Side the Stroke began with the Emperor, whose Death, without Male Issue, made Way on one Hand for the Advancement of King *Charles* to the *Imperial* Dignity, but at the same Time gave new Prospects, and new Schemes, to the Politicks of *Europe*, cooled several of the Powers and Princes of the Confederacy in their Pursuit of the War, from the just Apprehension of lodging a dangerous Superiority of Power in the Hands of the House of *Austria*, a Family who had been so justly dreaded by a great Part of the Christian World in the Fifteenth Century, and whose Power, as the *French* has done now, had employed all the Powers, and engag'd almost all the Princes of *Europe* in a long War for above Forty Years.

At the same Time that this blow gave *France* some Hopes of new Measures, and that a Peace might be made on a differing Foot than before, Death falls furiously on the Royal Family of *France*, takes away Three Dauphines, the immediate Successors to the Crown, and the Dauphiness, Wife of the Duke of *Burgundy*, and Daughter of the Duke of *Savoy*, and all these within the Compass of One Year. There now remained but One of the Children of the Family between the Crown of *France* and *Philip King of Spain*, and this an Infant of about One Year and half old ; the Fortune of *France*, weak like the State, and not in the Judgment, even of Physicians themselves, likely to live long ; this Blow, tho' it very sensibly affected the Old Monarch, yet it immediately put him upon new Measures with the Confederates ; Two Schemes lay in his View, One, in Case the little Dauphine should die before the other could be brought to Perfection, was the tendering the Crown and Monarchy of *Spain* to the Duke of *Savoy* ; which, as it might be acceptable enough to some of the Confederates, yet was much the Interest of *France* to manage it so as that the Duke should owe his Advancement to the Court of *France*, and not to the Confederates ; by which Means, if the Emperor, and his Allies, should oppose it, as no doubt some of them would be perswaded, he was sure on one Hand to bring

the

the Duke of Savoy off from the Confederacy, and on the other Hand should be able to carry the War again into *Italy*; and by attempting to put the Duke in Possession of *Spain*, might keep such a Share in the Dominions and Commerce of *Spain*, as should be for his Purpose. The Second Scheme, founded upon the Supposition of the **L**ife of the little Dauphine for a while, was to oblige King *Philip* of *Spain* to a formal Renunciation of his Claim to the Crown of *France*, tho' the same should fall by the Death of the present Dauphine, and that the Duke of *Berry* should be declared Dauphine in Case of the Death of the said present Dauphine, and the Crown to descend to him and his Heirs.

This Scheme had several Views, but principally to obviate the great Objection which was made on all Occasions by the Confederates, and which seem'd to be the Foundation of the War, viz. the Danger of uniting the Kingdoms of *France* and *Spain* in one and the same Person.

It seems needless to repeat here the Difficulty *France* had found to bring the Confederates to enter upon any such a Thing as a Treaty: After her rejecting the Preliminaries, and breaking off the Subsequent Treaties at *Geertruydenbergh*, it seem'd as if the Confederates were resolv'd to have no Peace at all, but to push at the Ruin of the *French* Monarchy, or that they were so confident

fident of their Strength as, that they resolved to oblige *France* to offer *Charte Blanc*, and beg Peace, as we use to say, on their Knees: But *France* found out a Way to convince some of the Confederates that their Affairs were not brought so very low; and the *British* Court, as well moved with the Disorder of their own People, as tired with the unequal Burthen of the War, which had lain on them so heavy and so long, began to shew an Inclination to renew a Treaty. The Court of *France* fail'd not to lay hold of the Occasion, and obtaining Leave at the *British* Court to make New Proposals, a Minister was accordingly sent over thither, who having on the Part of *France* made Proposals for treating of a General Peace in the usual Manner, and promising largely to give Reasonable Satisfaction to all the Allies, Her Majesty was prevailed with to interpose her Interest and Authority to obtain an Appointment, and a Place was accordingly named, (*viz.*) *Utrecht*, the particular History of which is not to the present Purpose, and therefore is omitted here. The Difficulties which many of the Confederates started, and the Opposition they made to the Proposal of a Treaty, are too publickly known to need that I repeat them here. But their Management at the Treaty when they came there, will take up some Room in the future History of that Affair; and may be briefly hinted at

here. The Imperial Court was long er'e they resolv'd to send any Plenipotentiaries at all; the *States-General* appointed Four Ministers, tho' as some reported they were rather Commissioners than Plenipotentiaries or Ambassadors, and at length with great Difficulty the Treaty began; Papers of Specific Demands were given in on either Hand, when according to the usual Method of Treaties it was expected the Conferences among the Plenipotentiaries should have begun, and each Party should have debated their own Pretensions, when on a sudden the *Imperial* and *Dutch* Plenipotentiaries, or Ministers, refused absolutely to treat by Conference, but demanded Answers in Writing of the *French*: The *French* were surpriz'd at this Demand, alledging,
 ' That they had given in their Proposals to
 ' the Confederates at first, and received
 ' the Demands of the Confederates, and
 ' they were ready to enter upon the Par-
 ' ticulars by Conference, according to the
 ' usual Methods of Treaties: That An-
 ' swers in Writing tended only to prolong
 ' Time, and to set the whole World ma-
 ' king their popular Use of them: That some
 ' of the Confederate Ministers had made
 ' use of the former Proposal to exas-
 ' perate the rest of their Allies, and to irri-
 ' tate the People against the *French*, without
 ' entering into the particular Explications
 ' which they were ready to make of every
 ' Head,

Head, and had discovered that they came not with a Design to carry on a Treaty, but to find an Occasion to break off the Treaty: That there was no manner of Pretence for demanding more Answers in Writing, but to have them Printed in every Country, with such Representations, however false, as their Enemies thought fit to make of them, and thereby to animate their People for carrying on their particular Designs; that as to a Peace, if it was sincerely intended, there could be no Occasion for further writing of Papers or Proposals, since they were all upon the Spot ready to enter into Conference with every Minister upon the particular Demands of their Principals, in order to give Satisfaction to every one.

Now indeed the other Ministers had some Debates, and the *British* Plenipotentiaries, according to the Queen's Real Intention, thought it was most reasonable to avoid Delays, and to bring Things to a Head, that they should enter on the Treaty by Conference; but they were over-ruled, and the Majority insisting upon the aforesaid Demand, (*viz.*) that the *French* should give in their Answer in Writing to the Demands of the Allies; the *British* Ministers submitted, and the *French* Ministers insisting on it, and in particular, that they had no Instructions on that Head, all the Conferences broke off, and the Treaty seem'd to be at a

full Stop. Here it was that the Ministers of some of the Allies discovered that their Business at *Utrecht* was not to Treat, but to put a Stop to the Treaty ; and that they laid hold of every Occasion to interrupt and prevent the Proceedings, much more the Conclusion, of any such Thing as a Treaty of Peace ; for the said Ministers thinking they had effectually gained their Point, did not stick to be very open upon this Head : But they have been disappointed in this Design, as they have been in many more, by the Vigilance and Conduct of the *British* Ministers ; for Her Majesty finding this Secret Management of the said Ministers push'd plainly at destroying all the Hopes of a Peace by interrupting the Conferences, took Occasion to let them know she would not be bound Apprentice to the War at the Will and Pleasure of the Allies, but that since all which she was engaged to fight for, and on which as a Foundation the War was begun, being to be obtained by a Peace, the Obligation to carry on the War eas'd ; neither could any Christian Prince justifie the carrying on a Destructive War, and the Shedding so much Blood, if the Reasonable Satisfaction for which the War was begun might be obtain'd without it.

Upon these Just and Rational Principles the Queen of *Great Britain* proceeded to adjust with the *French* the Conditions of Peace which Her Majesty thought fit to demand for Her own Subjects, with most of which the *French* having complied, there only remains the Satisfaction which Her Majesty demands for the rest of Her Allies ; and here it is to be remark'd, for the Conviction of such as have reproached the Queen with forsaking her Engagements and Alliances, that albeit Her Majesty might with good Reason have left the Allies to make the best Terms they could with *France* after Her own Terms were adjusted as above, they having offered to impose the War upon Her in a Manner altogether unjustifiable, yet Her Majesty, far from suffering Herself to be guided by Her Resentments, however Just, has nevertheless made the Interest of the Allies Her own in every Particular, and has forgotten no Material Demand which she thought fit for them to ask, or *France* to grant to them, but has insisted upon the same Demands which the said Confederates had made before, so far as Her Majesty saw a Reason sufficient to demand the same.

This is the Scheme then of the Treaty of Peace, which is contained in Her Majesty's Speech to the Parliament, wherein, as there are several surprizing Concessions made by *France*, which it was never thought he would be brought to comply with, on the Part of

of *Great-Britain*, and for which the People of *Britain* have a great Reason, not only to Bless Her Majesties Concern for the Good and Prosperity of Her own Subjects and Kingdoms, but also to be very glad that the said Peace was not concluded in former Treaties, where it was observable that no Provision was made for the Commerce or Interest of the People of *Great-Britain*; but all the Interest of *Britain* employed in obtaining Powers and Advantages for the Confederates, and for promoting the Interests, and Greatness, and Securities, of the Emperor and the States-General, upon Supposition that all our Security and Greatness was contained in the special and particular Interests of those Powers, without any other Provisions for our own.

These particular Advantages to *Britain* now obtain'd by this Treaty appears by a Scheme of a Peace laid by Her Majesty before Her Parliament, June 6. 1712, in Her late Speech, and are as follows.

1. A Treaty of Commerce entred upon, and brought to this Perfection between *Great-Britain* and *France*, viz. that the rest being referr'd to a farther Regulation, in the mean Time the same Priviledges and Advantages as shall be granted to any other Nation by *France* shall be granted in like Manner to us. This is more than either was propos'd at the Treaty of the Prelimi-

Preliminaries, or was obtain'd by the Treaty of Reswick, all being left there to a Future Treaty of Commerce, without putting that Treaty into any Method, or making any previous Conditions, as above, for the maintaining the Advantages of Britain equal with other Nations in France.

2. The putting the whole Island of St. Christopher's into the Hands of the Queen of Great-Britain: This is altogether New; nor is the Advantage so inconsiderable as not to be very well worth Her Majesties Concern to demand, and our Satisfaction in obtaining; the Partition of that Island between us and the French having not only occasioned much Dammage and Blood, but at last the utter Ruin of the English Settlement on that Island, and of the poor Planters there, by the cruel Devastation of the French.
3. The Security and Ease of our Colonies in North-America have likewise in former Treaties been too much forgotten, the English Colonies in Hudson's Bay entirely ruined and possessed by the French, even in time of Peace; the Newfoundland Trade has been invaded, and almost lost, the French possessing the Fort of Placentia, and the chief of the Fishing, and the said Fort of Placentia not being at all restored in any former Treaty, we shall now be absolute Masters of the Beaver Trade

to *Hudson's Bay*, and the *Newfoundland Fishing*, and the *Colony of New-England*, &c. will be more particularly be secured and made safe, by removing the *French* from *Accadia*, *Nova Scotia*, &c. where they became very troublesome Neighbours.

4. The Island of *Minorca* in the *Mediterranean* is a Thing so Considerable to us as it cannot easily be judg'd of till future Occasions make it better understood, not so much for the Advantage of Dominion on the Island itself, tho' that is not inconsiderable, as for the Possession of the greatest and best Harbour in the *Mediterranean*, in which not only the Merchants of *Britain* will always have Shelter and Protection, but where Her Majesty's Fleet may on all Occasions have a Station, a Retreat, a safe and commodious Harbour in Case of War, especially in Case of War with the *Algerines*, *Tripolins*, *Tuniseens*, and other Rovers of *Barbary*, whose Coast is directly opposite to the said Island of *Minorca*.
5. The Town and Fortifications of *Gibraltar* are so good an Equivalent for the Loss of *Tangier* in former Times, that it is hoped the Remembrance of the last may be forgotten in the much greater Advantages of the former, without either the Expence or the Blood that always attended the Possession of *Tangier*, and the Usefulness of

of possessing a Road, and a Town in the very Entrance of the *Straights*, is too well understood to need any farther Enquiry about it.

6. The securing to the *British* Merchants all the Advantages, Rights and Priviledges, of Trade in *Spain*, that shall be granted to any other Nation: This takes away that General Notion, which was, that a Difference should be made between the Subjects of *France*, and those of other Nations in *Spain*, with respect to Trade, to the Advantage of the *French*.
7. The last Advantage of Trade we are to observe in this New Treaty, is the *Affento*, or Contract with the *Spaniards*, for furnishing the *Spanish West-Indies* with Negroes for Thirty Years; this speaks itself, and needs not that I should add any Thing but what is Natural, (*viz.*) that it is an Increase of Trade to the *British* Merchants and Traders to *Africa* of such a Consequence, that we shall, no Question, improve to a very great Degree.

These Seven are Particulars wholly left out or very much neglected in all the former Articles, of whatever Kind, which we have yet seen transacted with the *French*; and which at least may afford us this Deduction, *viz.* that Her Majesty has been just so much more concern'd for the Good of Her own

Subjects, than she was allow'd to be in the late Administration.

As to the General Articles relating to the Pretender, the Protestant Succession, and the House of *Hannover*, they stand as before.

Come we now to enquire into the General Security, and the Publick Peace and Interest of *Europe*: *The Ballance of Power* has been always laid down as the First and most Essential Thing to be provided for, as that on which the Safety of *Europe* depended and as the only Method which could be found out to prevent the Exorbitant Greatness of *France*, and keep him from Over-running the rest of Christendom, and to keep up the general Harmony among the rest of the Powers of *Europe*. This Ballance of Power was thought to be effectually destroyed by the Seizing of the *Spanish* Monarchy into the Hands of a Branch of the House of *Bourbon*; by which was most justly apprehended, that in Consequence of the usual Methods of the *French* Government, the Great and Powerful Monarchies of *Spain* and *France* should immediately be united in the same Person, which would be the apparent Ruin of the Peace of *Europe*. To prevent this Melancholy View of the Publick Affairs of *Europe*, the other Powers of that Part of *Europe* principally concerned took Arms, and joined with the *Imperial* Armies, which were then entred upon Action against *France*, the Emperor

peror having begun the War the Year before. This was called the Grand Alliance, in which the abovesaid manifest Breach of the said Ballance of Power was made the most Essential Foundation, and the obtaining a safe and lasting Peace was made the ultimate End, as is more particularly exprest in the Preamble to, and Article of, the said Grand Alliance, of which *Hac sunt Verba.*

' Whereas *Charles II. King of Spain*, of
 ' most Glorious Memory, being not long
 ' since dead without Issue, his Sacred Im-
 ' perial Majesty has claimed the Succession
 ' in the Kingdoms and Provinces of the
 ' deceased King, as lawfully belonging to
 ' his August Family; but the most Chri-
 ' stian King aiming at the same Succession
 ' for his Grandson, Duke of *Anjou*; and
 ' pretending a Right did accrue to him by
 ' a certain Will of the deceased King, has
 ' usurped the Possession of the intire Inheri-
 ' tance for the aforesaid Duke of *Anjou*,
 ' and Invaded by his Arms the Provinces
 ' of the Spanish Low-Countries; and the
 ' Dutchy of *Milan* has a Fleet ready fitted
 ' in the Port of *Cadiz*, has sent several Ships
 ' of War to the Spanish West-Indies, and by
 ' this and many otherWays the Kingdoms of
 ' Spain and France are so closely united and ce-
 ' mented, that they may seem henceforward
 ' not to be otherwise considered than as

one and the same Kingdom, so that it sufficiently appears, unless timely Care be taken, that his Imperial Majesty will be destitute of all Hopes of ever receiving Satisfaction in his Pretention, the Sacred Roman Empire will lose its Rights in the Fiefs belonging to it in *Italy*, and the *Spanish Netherlands*, the free Intercourse of Navigation and Commerce, which the English and Dutch have in the *Mediterranean*, the *Indies*, and other Places, will be utterly destroyed, and the *United Provinces* will be deprived of the Security which they enjoyed by the Provinces of the *Spanish Netherlands* lying between them and the *French*, which is commonly called a Barrier. Lastly, that the *French* and *Spaniards* being thus united, will in a short Time become so formidable to all, that they may easily assume to them the Dominion over all *Europe*, and therefore by this Way of Proceeding of the most Christian King, his Imperial Majesty was brought under a Necessity of sending an Army, for the Preservation as well of his own Interest as the Fiefs of the Empire. The King of *Great-Britain* has thought it requisite to send his Forces to the Assistance of the States-General, whose Affairs are in the same Condition as if they were actually Invaded; and the States, whose Frontiers lye as it were in a manner exposed on all Sides, by the breaking and

and taking away of that, since commonly
 called a Barrier, which screened them
 from the Neighbourhood of the *French*,
 are forced to do all these Things for the
 Safety of the Commonwealth, which they
 should, and could do, if they were in a
 War ; and whereas so dubious a Posture
 of their Affairs is more dangerous than a
 War itself, and that *France* and *Spain*
 take Advantage of this State of their Af-
 fairs to make a stronger and firmer Union
 among themselves, for oppressing the Li-
 berty of *Europe*, and taking away the
 Freedom of Commerce ; these Reasons
 induced his Sacred *Imperial* Majesty,
 his Sacred Royal Majesty of *Great-Britain*,
 and the High and Mighty Lords the States-
 General of the *United-Provinces*, to obvi-
 ate so great Evils as might rise from
 thence, and desiring as much as lies in
 their Power to apply Remedies thereto,
 have thought a strict Conjunction and
 Alliance between themselves necessary
 for repelling the Greatness of the common
 Danger.

This Ballance of Power being then the
 Foundation of the War, it follows to en-
 quire, what were the Steps taken by each
 Party to preserve the same, in the Prosecu-
 tion of the War. And for this we shall
 find the Method taken in the Beginning
 was to allot to each Power such Shares as
 the

the whole thought fit and proper for them to enjoy, and to cause them to enjoy, and to cause them to acknowledge themselves satisfied with the same, and solemnly to renounce any Claim to the other Parts, which they may have other Rights unto; this will appear in the Two several Treaties of Partition, the first made by the late King *William*, and the States-General, with the King of *France*, in Favour of the Electoral Prince of *Bavaria*, deceased, and the latter in Favour of the then Arch-duke, *Charles*, since become King of *Spain*, and now Emperor; from whence it appears, that however some Complaints may have been made of the *French* King's little Regard to the Renunciation of the Pyrenees, that yet not King *William* only, but the States-General, and other Princes of Europe, did find it convenient, and think it sufficient to depend upon such Solemn Renunciations, as sufficient Securities, together with the other Provisions of those Treaties, against the future Attempts, as well of *France*, as of other Powers concerned in those Treaties. This is expressed more plainly in the said Treaties of Partition, thus.

' On the Account of which said Kingdoms, Islands, Provinces, Places, the said most Christian King, as well in his own, as in the Name of *Monseigneur* the Dauphin,

‘ Dauphin, his Male Children, or &c. who
 ‘ hath also given his full Power to the
 ‘ Count de Tallard, and to the Count de
 ‘ Briord, Promising and Engaging them-
 ‘ selves to renounce at the opening of the
 ‘ said Succession of Spain, as in this Case
 ‘ they have at this Time renounced by
 ‘ these Presents, all their Rights and Pre-
 ‘ tensions to the said Crown of Spain, and
 ‘ to all the other Kingdoms, Islands, States,
 ‘ Lands and Places, which at this Time
 ‘ depend thereupon, except what is above
 ‘ excepted for his Part, all which they shall
 ‘ confirm by Solemn Acts, in the most Au-
 ‘ thentick and best Form.

And again, on the contrary Part of the
 same Treaty, where you have the following
 Words.

‘ And the said Emperor, as well in his
 ‘ own Names, as in that of the King of the
 ‘ Romans, the most Serene Arch-duke
 ‘ Charles, his Second Son, the Arch-dut-
 ‘ chess his Daughters, his Children Male,
 ‘ &c. or their Issue : As also the said King
 ‘ of the Romans, in his own Name, shall
 ‘ renounce, when they shall enter into, and
 ‘ ratifie the Present Treaty ; and the most
 ‘ Serene Arch-duke Charles, as soon as he
 ‘ shall be of Age, all other Rights and
 ‘ Pretensions to the said Kingdoms, Islands,
 ‘ States, Lands and Places which compose
 ‘ the

' the Share or Portion assign'd to Monseigneur the Dauphin, and of him who shall
 ' have the Dutchy of Milan, in Exchange
 ' of what shall be given to Monseigneur
 ' the Dauphin, of all which they shall cause
 ' the most Solemn and Authentick Acts to
 ' be made that may be ; that is to say, the
 ' Emperor, and the King of the Romans,
 ' when they shall ratifie this Present Treaty
 ' of the most Serene Arch-Duke, as
 ' soon as he shall come of Age, which shall
 ' be delivered to his Britannick Majesty,
 ' and the said States-General.

By these Articles it appears, that notwithstanding all the Pretensions made against the King of *France* for the Breaches made by him of such former Treaties, and the pretended Insufficiency of such Acts of Renunciation, to bind the King of *France* where his Interest interferes therewith, yet that the said late King *Williams*, the States-General, as well as the other Protestant Powers of *Europe*, either did think such Renunciations sufficient, or found no other Way Practicable to bind the said Princes and Powers than such Renunciations, and that therefore they were not the less to be made Use of, or had Recourse to, on such Occasions, however the King of *France* might have disregarded the former Renunciations of the *Pyrenees*.

The Queen of Great-Britain having then found it necessary in the Prosecution of this War to hearken to such Proposals of Peace as have been made on the Part of France, in order to put an End to this Bloody and Tedious War, it cannot seem so strange a Thing as some People would imagine, or perswade us, that Her Majesty should lay some Stress on the Validity of a Formal Renunciation on the Part of the Duke of Anjou, as it respects the Claim the said Duke of Anjou has, or may have, in case of the Demise of the present Dauphin of France to the Dominions of his Grandfather, the present King of France.

Having then proved the Reasonableness of continuing the said Form in Treaties of Peace, I shall now examine what Difference there appears between the said former Renunciations of the King of France, and the present Renunciation proposed, and wherein the Security of this present Renunciation consists: In Order to this it seems necessary to look back into the Nature and Reason of the Proposals of Peace: It is known, as above, that the Breach of the said Ballance of Power in Europe consisted in the Conjunction of the Interests and Powers of the respective Monarchies of France and Spain; it is confess it were to have been wish'd on this Account that it had pleased God, that either the Electoral

Prince of *Bavaria*, to whom *Spain* was allotted by the first Treaty of Partition mentioned above, or the Late Emperor *Joseph* had not died without Heirs ; so as that the Possession of the Imperial Dignity, or the Dominions of the House of *Austria*, had not descended to the Person of the present Emperor. But these Events having fallen in, and it being impossible to prevent the Consequences attending, the Case must therefore be considered as it is, not as it were wished to have been. The King of *France*, and the Emperor of *Germany*, are the only Competitors for the *Spanish Monarchy*. There is no room to doubt but the Ballance of Power is entirely broken, whichsoever of these Two we to possess the whole of this new Prize. So that it seems necessary to the Peace of *Europe* that some Medium be found out to adjust this Matter.

It is not the present Work to offer Mediums, but to consider the Validity of those already offered : Her Majesty has, in Her Speech to the Parliament, given in a Scheme, on which this great Work is to be, or may be founded ; and has added, under Her own Royal Authority, that by this Scheme the Three greatest Things in the present Disputes about Peace are provided for, viz.

1. That France and Spain are more effectually divided than ever.

2. That

2. That a real Ballance of Power will be fixed in Europe, liable to as few Accidents as Human Affairs can be exempted from.
3. That the Nature of the Proposal is such, that it executes itself.

These Articles seem to be thus explained,

1. That France and Spain are more effectually divided than ever ; that is, that the Duke of Berry being declared next Heir in Case of the Death of the Dauphin without Heirs, France will be Embark'd by him, (*he being in immediate Possession*) against Spain, which may be supposed to assist King Philip, and that the Duke of Berry will not fail to defend his own Pretensions ; this seems to be founded upon so good Authority, that if he should be supposed to give it up, he must act against Reason and Nature.

2. That a real Ballance of Power will be fixed in Europe, liable to as few Accidents as Human Affairs can be exempted from. This is built on the Supposition of the respective, Parties being divided, as above ; the Consequence of which may be, that they will be ever fortifying their Interest with Friends and Confederates, Leagues and Treaties one against the other, (*viz.*) the House of Austria will not fail to be strictly Allied to, and in the Interest of the King of Spain, as ever ; in so far as the Alliance respects France, because of the View that House will have to

their own Claim of the Crown, which is for ever to be excluded from the House of *Bourbon* after the Failure of the Heirs of King *Philip*.

3. *That the Nature of the Proposal is such, that it executes itself*; this is the just Inference from the other Two, signifying, that, *as before*, the Successors of the King of *France*, in Failure of the *Dauphin*, will naturally stand up against *Philip*, and insist upon the Renunciation made at this Treaty, and will therefore exclude him from any Pretensions with all their Power. The Confederates will naturally, and for the same Reasons which induced them to commence, and carry on this War, fall in, and join themselves to the said Sons of *France*, to keep out the King of *Spain*, and prevent his succeeding, from that one received Maxim, which I mentioned at the first of this Work, *viz.* that it is inconsistent with the Safety and Peace of *Europe*, that the Monarchies of *France* and *Spain* should be possessed by the same Person; and on the other Hand, *Spain* itself will unwillingly Succour or Further the Pretensions of their Kings, as what is several Ways against their Interest, and would reduce their Country to be but a Dependent on, and as a Province to the Kingdom of *France*.

To

To come a little into the Sense of these Things, it seems necessary to observe here, 1. That the effectually establishing a Ballance of Power in *Europe*, is the real End and Design of this War; all the Declarations, all the Publick Papers, all the Arguments on both Sides, are full of this; both the Treaties of Partition, the Renunciation at the *Pyrenean Treaty*, the setting up King *Charles*, the opposing the Possession of King *Philip*; all these are founded on this Notion, that the Safety of *Europe* consists in maintaining an equal Ballance of Power among the several Princes and States concerned in this War. 2. That the effectual dividing of the Interests of *Spain* and *France*, is the only effectual Method for preserving this Ballance of Power. And then it will come to be enquired, 3. Whether the present Scheme of *Philip's* Renunciation be an effectual dividing the Interests of *Spain* and *France*, yea or no.

1. That the effectual establishing a Balance of Power in *Europe*, is the real End and Design of the War; Her Majesties Declaration of War, and the Declarations of the Princes and Powers now engaged in this War, together with the Grand Alliance among the Confederates, will all testify in Defence of this Proposition; and to them I refer my Reader, wherein the Liberty of *Europe*, the Publick Tranquility, the Ballance of *Europe*, are Terms used to signify

signifie the same Thing, and are all along made Use of as the Reasons of the War, as in Her Majesties Declaration of War, May 4. 1702, and likewise, in the Declaration or *Manifesto* of the States-General, May 8. 1702.

Many the like might be produced, to prove, if it were needful, that these were the true Grounds of the War, but this being sufficient, I pass to the next Head, *viz.* 2. *That effectual dividing the Interest of France and Spain, is the only way to preserve or restore the Ballance of Power in Europe.* This also is as evident from the Course of the whole War; the setting up King *Charles* as King of *Spain* had no other Foundation, for he had at that Time no Pretence to Claim the Crown of *Spain*, his Elder Brother being alive, and having Children to succeed; but the Crown of *Spain* was allotted to him on this very Foundation, that the Monarchy of *France* might have nothing to do with the Dominions of *Spain*, in all the Treaties that have been set on Foot on every Hand, for the putting an End to the War; this has been the Foundation of all the rest, (*viz.*) that the Kingdoms of *France* and *Spain* might not come into the Possession of the same Prince. Nay, the King of *France* himself has acknowledged it to be a just Foundation, and has made it the Foot upon which he has always made his Proposals of Peace, as is apparent from the

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late Proposals, called the Six Preliminaries, wherein he owns, in express Terms, that it is not safe for *Europe* that *France* and *Spain* should come to be Governed by the same Person, at the same Time, and therefore proposes to give sufficient Security to the Allies that such a Thing should never happen. This Maxim is deduced from the former, (*viz.*) the preserving the Balance of Power in *Europe*, and is the main Point for which this Bloody War has been so long carried on.

But all the Schemes for bringing this to pass have hitherto proved ineffectual, the War hath proved tedious and tiresome, and the Nations have been exhausted to such a Degree by it, that the Subjects on every Side call for Peace; the *French*, tho' pushed with great Success, and with infinite Losses every Year, yet lose their Ground by Inches; Twice they have beaten the Confederates out of *Spain*, although they had possessed even the Capital City, and the Principal Provinces, and they still appear in a Formidable Posture on the Frontiers; so that it seems to be still the Work of many Years to Reduce them. On the other Hand, the several Offers *France* has made of evacuating *Spain*, has been look'd upon as unsafe, or insincere. But Providence having removed the Princes of the House of *Bourbon* on the one Hand, and brought King *Charles* to the Imperial Dignity on the other,

other, by which it appears, that the same Reasons for settling the Crown of *Spain* on his Head doth not exist as before ; and that it might be equally dangerous to *Europe* to make one and the same Person Emperor, and King of *Spain*, as King of *France* and *Spain* ; the said Ballance of *Europe* being thereby destroyed as much the one Way as the other ; this being the Case a new Expedient offers, (*viz*) to make a new Establishment, or Entail, of the several Crowns of *France* and *Spain* ; so that the Interests of several Princes might be rendered Incompatible, and that it might appear divided in those Interests ; so that it being naturally impossible for them to agree as to Sovereignty, the Peace of *Europe* might be secured as the Consequence.

To bring this to pass, mutual Renunciations have been also needful ; but as these Things called Renunciations have suffered some Scandal in the Eyes of the Confederates, it might be expected the Opposers of Peace would immediately object against the very Word itself as unsatisfactory. But considering Men always distinguish of Matters in order to judge rightly ; and in doing this it will appear, that as in Her Majesties Speech it is observed, this Treaty executes itself ; so that the Validity of this Article does not *so much* consist in the Validity of the Renunciation, as the Validity of the Renunciation depends upon the Nature of the Thing ;

Thing; for Example, supposing the Crown of *France* falls, as may be said, by Descent to the present *Philip*, the Duke of *Berry* being declared *Dauphin* by Virtue of this Treaty, and being immediately in Possession of the Crown of *France*, no Man can think so absurdly as to suppose he will desist to his Brother *Philip*, who also has given up his Right. Nor can any Man suggest that *Philip* can force him to it, after he is in Possession; for it will always be allowed, that there will be a great Difference between a King of *Spain* renouncing *France*, and a King of *France* renouncing *Spain*, as to the Power of forcing their Pretensions. This then being the Case here, there remains no more Difficulty, but that the Circumstances of the Two Persons will effectually divide the Kingdoms; for if the Duke of *Berry*, who is the younger Brother, keeps the Crown of *France*, not the House of *Austria*, would be more inconsistent with his Interest, than his Brother *Philip*, who cannot but with Regret see him established on a Throne, which was his Birth-right, and which he had, with *Esau*, given up for a Mess of *Spanish* Pottage.

The Renunciation, join'd with Want of Power, has double Efficacy in this Case; and I see nothing remaining to doubt the Duke of *Berry* being able to maintain himself against *Philip*, unless we should suppose a Faction in *France* to Favour King *Philip*, which considering the absolute Dominions of the Kings of *France* is also not very probable; but if this should happen, then are all the Confederates engaged as Allies to the Duke of *Berry* to support him in his Claim, and so *France*, *Britain*, *Holland*, and the *Empire*, are in Confederacy against *Spain*; which is such a wild Disproportion, that the Danger cannot be thought sufficient to any wise Man to make the least Uneasiness in our Minds. On the other Hand, if the present *Dauphin* lives, and should have Children, as may very probably happen, then the whole *Chimera* vanishes at once, and the Renunciation may never come to take Place; or if it do, it may be so many Ages hence, that no Man can so much as suggest what the Circumstan-

ces of that Time may be, or make any Provision against it. Be it then, that either of these Cases are the present State of Europe, as one of them must be, what rational Doubt can any Man start in the present Case, why this is not a sufficient Security to Europe, against the Fear of uniting the Kingdoms of France and Spain; since to argue against it must be to argue against Human Nature? And suppose the young Duke of Berry, who is a Prince of as much Fire as most Men in Europe, should tamely and quietly give up his Claim to the Crown of France; and that too, after he is in Possession of it, and quit it to his Brother, who has been expung'd by his own voluntary Act and Deed; and by a Formal Renunciation, which is made Legal, and accepted in all the most effectual and strongest Terms in the French Constitution, and all this to be done by the strongest Prince to the weakest by the Prince; who hath Power in his Hands to keep Possession to that Prince, who hath no Power forcibly to dispossess him.

These are Absurdities necessary only to a baffled Argument, and which none but the weakest People in the World would lay any Weight upon, and serve only to confirm any reasonable Person in the Validity of this Renunciation, and in the Truth of what His Majesty has laid down in these Three Heads.

1. That the Ballance of Power is secured.
2. That the Kingdoms of France and Spain are divided effectually.
3. That the Nature of the Treaty is such, that it executes itself.



F I N I S,

